



AP 11/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ingo BOECKMANN et al. Confirmation No.: 2366
Appl. No. : 09/807,638
Filed : July 11, 2001
Art Unit : 2626
Examiner : James S. Wozniak
Docket No. : 11150/30
Customer No. : 26646

Mail Stop Appeal Brief-Patents
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Date:

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By:

Chihlin

TRANSMITTAL

S I R:

Transmitted herewith for filing in the above-identified patent application is a Response to the Notice of Non-Compliant Appeal Brief Under 37 C.F.R. 41.37 dated September 6, 2006.

Applicants hereby request a two-month extension of time for responding to the Office Action of September 6, 2006. The extended period for response expires on December 6, 2006. Please charge the \$450.00 extension fee and any other fee that may be required to Deposit Account No. 11-0600. .

Respectfully submitted,

KENYON & KENYON LLP

Dated:

Dec. 6, 2006

By:

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[11150/30]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:
Ingo BOECKMANN et al.

Examiner: James S. Wozniak

For: METHOD AND DEVICE FOR
OUTPUTTING INFORMATION
AND/OR MESSAGES, USING SPEECH

Art Unit: 2626

Filed: July 11, 2001

Serial No.: 09/807,638

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Dec. 6, 2006

Signature:

A. Li

**RESPONSE TO "NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)**

SIR:

This paper is responsive to the "Notice of Non-Compliant Appeal Brief (37 CFR 41.37)" ("the Notice") dated September 6, 2006 in connection with the above-captioned application. The Notice contends that the "Appeal Brief Pursuant to 37 C.F.R. § 41.37" ("the Appeal Brief") submitted on August 9, 2006 does not comply with the requirements of 37 C.F.R. § 41.37(c)(1)(v). As indicated in M.P.E.P. § 1205.03, "[w]hen the Office holds the brief to be defective solely due to appellant's failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not, and should not, be filed." "Rather," according to M.P.E.P. § 1205.03, "a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) will suffice." While it is respectfully submitted that the section of the Appeal Brief captioned "Summary of the Claimed Subject Matter" appearing on pages 2 to 3 fully comply with the requirements of 37 C.F.R. § 41.37(c)(1)(v), to facilitate matters, a replacement "Summary of the Claimed Subject Matter" section is submitted herewith to replace the section of the Appeal Brief captioned "Summary of the Claimed Subject Matter."

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Please replace the section of the Appeal Brief captioned "Summary of the Claimed Subject Matter" with the following replacement section:

--5. SUMMARY OF THE CLAIMED SUBJECT MATTER

The present application relates to a device and method for outputting information and/or status messages of an electrical device using speech. *Specification*, page 1, lines 2 to 4. Fig. 1 shows an example of the method. *Specification*, page 4, lines 17 to 19, and page 5, lines 8 to 9. A speech memory is configured to store prompts Auff and commands KOM. *Specification*, page 5, lines 9 to 16, and page 5, line 35 to page 6, line 1. A processor selectively reads the information and/or status messages for output via an acoustic device. *Specification*, page 5, lines 18 to 33, and page 7, line 17 to page 8, line 8. The information and/or status messages may be selectively output via an acoustic output device using an intonation that is in accordance with a relevance, so that, for example, a first intonation S1 is used if immediate action in response to the output is required, and a second intonation S2 is otherwise used. *Id.*

Independent claim 11 relates to a method for outputting at least one of information KOM and status messages Auff of at least one electrical device using speech. *Specification*, page 1, lines 2 to 4. The method includes storing the at least one of information KOM and status messages Auff relating to a voice output in a speech memory. *Specification*, page 5, lines 9 to 16; and page 5, line 35 to page 6, line 1. The method further includes selectively reading the at least one of information KOM and status messages Auff by a processing device. *Specification* page 5, lines 18 to 33; and page 7, line 17 to page 8, line 8. The method also includes outputting the at least one of information KOM and status messages Auff on an output device using an intonation in accordance with a relevance. *Id.*

Independent claim 21 relates to device for outputting at least one of information KOM and status messages Auff of at least one electrical device using speech. *Specification*, page 1, lines 2 to 4. The device includes a speech memory configured to store data relating to a voice output of the at least one of information KOM and status messages Auff. *Specification*, page 5, lines 9 to 16; and page 5, line 35 to page 6, line 1. The device further includes a processing device. *Specification* page 5, lines 18 to 33; and page 7, line 17 to page 8, line 8. The device further includes an acoustic output device, the at least one of information KOM and status messages Auff being selectively output on the output device using an intonation in accordance with a relevance. *Id.*--

It is believed and respectfully submitted that the foregoing replacement section fully complies with the requirements of 37 C.F.R. § 41.37(c)(1)(v) and that the Appeal Brief now fully complies with all of the requirements of 37 C.F.R. § 41.37.

In view of all of the foregoing and for all of the reasons more fully set forth in the Appeal Brief, reversal of all of the rejections set forth in the Final Office Action dated August 19, 2005 is respectfully requested.

Respectfully submitted,

Dated: Dec. 6, 2006

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